IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 21195 of 2004

Between:

Sathavahana college, (sponsores Sri Durge Malleswara Educational society), Rep. by its Secretary G.Prajapathi Rao
R/o.Seetharampuram, Vijayawada, Krishna District.

..... PETITIONER

AND

1. The Government of A.P. rep.by its Prl.Secretary, Higher Education

Dept., Secretariat Buildings, Hyderabad.

2 The Commissioner and Director of Collegiate Education, Govt. of

A.P., Khairtabad, Hyderabad.

3 The Regional Joint Director of Collegiate Education, Rajahmundry,

East Godavari District.

4 The Principal, SSR & CVR Government Degree College,

Vijayawada, Krishna Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ or order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the 1st Respondent herein in not considering the request of the Management of Sathavahana college, Vijayawada for extension of the service of Sri V.V.Krishna Rao as principal for a further period of two years after his retirement on his superannuation i.e. after 31-8-2004 as illegal, void by setting aside the memo issued by the 1st Respondent dated 23-10-2004 in Memo No. 7425/CE.II.1/2004, and consequently to direct the respondents herein to acquire the services of Sri V.V.Krishna Rao as principal for a period of two years from 1-9-2004 without financial commitment to the Director of Collegiate Education or Government

of Andhra Pradesh.

Counsel for the Petitioner: MR.GADEVENKATESWARA RAO

Counsel for the Respondents: GP FOR HIGHER EDUCATION

The Court at the admission stage, made the following :

HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.21195 of 2004

ORDER:

The petitioner is a College, represented by its Secretary. The petitioner-college addressed the 2nd respondent through its letter dtd.16-08-2004 requesting the 2nd respondent to accord permission to extend the services of the present Principal who was due to retire on 31-08-2004, for a period of two years. The 1st respondent passed an order on 23-10-2004 rejecting the request of the petitioner for extension of the services of Sri VV Krishna Rao, Principal, after his retirement from 01-09-2004 for a period of two years. There is a general policy of the Government not to take the services of the retired employees and in pursuance of that the 1st respondent passed the impugned order. The petitioner being aggrieved by the order of the 1st respondent approached this Court through this writ petition seeking to declare that the order of the 1st respondent is illegal on the ground that it is not supported by reasons.

This is not a matter where the 1st respondent dealt with the matter pertaining to a statutory right and request for extension of the service of the present Principal was examined and rejected. The order does not suffer from any infirmity for want of reasons. The petitioner cannot maintain the writ petition.

Accordingly, the writ petition is dismissed. No order as to costs.

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November 19, 2004

KVR

To

1. The Government of A.P. rep.by its Prl.Secretary, Higher Education Dept., Secretariat Buildings, Hyderabad.
2 The Commissioner and Director of Collegiate Education, Govt. of A.P., Khairtabad, Hyderabad.
3 The Regional Joint Director of Collegiate Education, Rajahmundry, East Godavari District.
4 The Principal, SSR & CVR Government Degree College, Vijayawada, Krishna Dist.

5. Two C.Cs to the GP for Higher Education, AP High Court Buildings, AP High Court, Hyderabad.

6. Two C.D. Copies.